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## REMARKS

The amendment filed on April 30, 2007 inadvertently included incomplete claim amendments and remarks. The above amendment to claim 46 and the following new remarks complete the response.

**Response to Claim Rejections under 35 U.S.C. §102**

Claims 46, 49, 50, 51, 52, and 75 were rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by Yoon (U.S. Patent No. 5,972, 001).

Applicants respectfully traverses this rejection. Claim 46 as currently amended recites a longitudinal tubular guide member having a proximal end, an essentially straight proximal portion, a distal end, a curved distal portion, a port in the distal end, an inner lumen extending through the guide member to and in fluid communication with the port in the distal end. Support for this amendment may be found throughout the originally filed disclosure and in particular with reference to Figs. 24 through 62. Claim 46 was also amended to call for the containment member to have a constricted configuration when disposed in the inner lumen of the tubular guide member and a relaxed configuration having a transverse dimension which is slightly less than a transverse dimension of a healthy portion of the patient's aorta adjacent to the aortic aneurysm.

Yoon describes a system 20 for ligation that includes a suture spring device 22 and a guide 24 accommodating the suture spring device 22 (Figs. 1-10). However, Yoon fails to teach a longitudinal tubular guide member having a proximal end, an essentially straight proximal portion, a distal end, a curved distal portion, a port in the distal end, an inner lumen extending through the guide member to and in fluid

communication with the port in the distal end. The guide 24 of Yoon has helical shape and has a helically shaped proximal portion, not an essentially straight proximal portion as called for in claim 46. Furthermore, Yoon fails to teach an elongated containment member configured to be disposed about an exterior surface over the aortic aneurysm which has a relaxed configuration with a transverse dimension which is slightly less than a transverse dimension of a healthy portion of the patient's aorta adjacent to the aortic aneurysm. The suture spring device 22 of Yoon is configured to tightly ligate tissue as shown in Figs. 9 and 10 and is functionally contrary to the containment member of claim 46. Therefore, Yoon device 22 cannot be disposed about an exterior surface over the aortic aneurysm to support the aneurysm without significantly reducing the transverse dimension of a healthy portion of the patient's aorta adjacent to the aneurysm. As a result this reference cannot anticipate claim 46 and those claims which depend from claim 46.

Claim 46 was rejected by the Examiner under 35 U.S.C. §102(b) as being anticipated by Stevens et al. (U.S. Patent No. 6,029,671, hereinafter Stevens). Stevens describes a guide catheter 320 having a curved distal portion with a stent delivery catheter 320 having a stent 560 (Figs. 10A-10D) on the balloon portion of the catheter. However, Stevens fails to teach an elongated containment member configured to be disposed about an exterior surface over the aortic aneurysm. The stent 560 of Stevens cannot be disposed about an exterior surface over the aortic aneurysm.

Consequently, Yoon and Stevens fail to teach each and every element of amended claim 46. Therefore, Applicants respectfully request withdrawal of the 35

U.S.C. §102(b) rejection with respect to independent claim 46 and the dependent claims which depend therefrom.

**Response to Claim Rejections under 35 U.S.C. §103**

Claims 46, 49, 50, 51, 52, and 75 were rejected by the Examiner under 35 U.S.C. §103(a) as being unpatentable over Hieshima et al. (U.S. Patent No. 6,063,111, hereinafter Hieshima) in view of Stevens.

Hieshima describes a stent 30 having two strips of films 32 and 34 (Figs. 2 and 2A) which is configured to be inserted into a patient's aorta or other blood vessel to support the blood vessel from the interior. However, Hieshima fails to teach an elongated containment member configured to be disposed about an exterior surface over the aortic aneurysm and particularly does not teach a containment member having a relaxed configuration with a transverse dimension which is slightly less than that of a transverse dimension of a healthy portion of the blood vessel adjacent to an aneurysm. This limitation is supported by the language found in the paragraph starting on page 18, line 11 through page 19, line 2. The stent 30 of Hieshima is disposed in a blood vessel as shown in Fig. 2A, not outside the blood vessel. Furthermore, as the Examiner mentioned on page 4 in the Office Action, Hieshima fails to teach a longitudinal tubular guide member having a proximal end, a distal end, a curved distal portion, a port in the distal end, an inner lumen extending through the guide member to and in fluid communication with the port in the distal end. Consequently, Hieshima fails to teach each and every element of amended claim 46.

For these reasons, claim 46 is clearly distinguishable over Hieshima in view of Stevens. Applicants therefore respectfully request withdrawal of the 35 U.S.C. §103(a)

rejection and allowance of independent claim 46 and the dependent claims which depend therefrom.

**Conclusion**

Applicants believe that the pending claims as set forth above are directed to patentable subject matter and respectfully request reconsideration of the application in view of the above and an early allowance thereof.

Respectfully submitted,

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